

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

TEVAN FOSTER,

Defendant.

**INDICTMENT**

25 Cr.

**25 CRIM 107**

**COUNT ONE**

**(Alien in Possession of Ammunition)**

The Grand Jury charges:

1. On or about January 4, 2025, in the Southern District of New York and elsewhere, TEVAN FOSTER, the defendant, knowing he was an alien illegally and unlawfully in the United States, knowingly possessed ammunition, to wit, two Winchester .40 caliber cartridge casings, one Hornady .40 caliber cartridge casing, one PMC .40 caliber cartridge casing, and one FC .40 caliber cartridge casing, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(5) and 2.)

**FORFEITURE ALLEGATION**

2. As a result of committing the offense alleged in Count One of this Indictment, TEVAN FOSTER, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461(c), any and all firearms and ammunition involved in or used in said offense, including but not limited to:

- a. two Winchester .40 caliber cartridge casings;
- b. one Hornady .40 caliber cartridge casing;
- c. one PMC .40 caliber cartridge casing; and
- d. one FC .40 caliber cartridge casing.

**Substitute Assets Provision**

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 924;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
MATTHEW PODOLSKY  
Acting United States Attorney